

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

*

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v.

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Criminal No. 09-00017-KD

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JUAN MARK JONES

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PRELIMINARY ORDER OF FORFEITURE

WHEREAS, in the Indictment in the above-entitled case, the United States sought forfeiture of any firearms and ammunition involved or used in the of the offenses in Counts Four and Nine of the Indictment, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c);

AND WHEREAS, pursuant to the Plea Agreement and Factual Resume entered into the by United States and the defendant, it is hereby

ORDERED, ADJUDGED AND DECREED, that pursuant to Title 18, United States Code, Sections 924(d), and Federal Rule of Criminal Procedure 32.2(b), the interests of defendant Juan Mark Jones are hereby condemned and forfeited to the United States for disposition according to law in the following:

- a. Kel Tec 9 mm handgun, Serial Number A3U42
- b. Ruger P9 40C 40 caliber handgun, Serial Number 34120790
- c. Ruger .22 Model 10-22, Serial Number 24965546
- d. Mossberg 12 gauge 500A, Serial Number P539381
- e. Essex rifle, Serial Number 7005
- f. Single-shot sawed-off shotgun, no visible serial number

g. Ruger Model P90 .45 caliber handgun, Serial Number 662-04650

AND WHEREAS, by virtue of said guilty plea and Plea Agreement and Factual Resume, the United States is now entitled to and should reduce the said property to its possession and notify any and all potential third parties who have or may have an interest in the forfeited property, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c) and Rule 32.2(b) of the Federal Rules of Criminal Procedure.

NOW THEREFORE, IT IS HEREBY **ORDERED, ADJUDGED AND DECREED:**

That based on the guilty plea, the Plea Agreement and Factual Resume and Fed.R.Crim.P 32.2(b)(3), all right, title and interest of defendant Juan Mark Jones in the above-described property is hereby forfeited to and vested in the United States of America for disposition in accordance with law, subject to the provisions of Title 18, United States Code, Section 853(n), as incorporated by Title 28, United States Code, Section 2461(c).

That the aforementioned property is to be held by the United States Marshals Service in their secure custody and control.

That pursuant to Title 21, United States Code, Section 853(n)(1), as incorporated by Title 28, United States Code, Section 2461(c), the United States shall publish notice of this order on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture,

as a substitute for published notice as to those persons so notified.

After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon showing that such discovery is necessary or desirable to resolve factual issues.

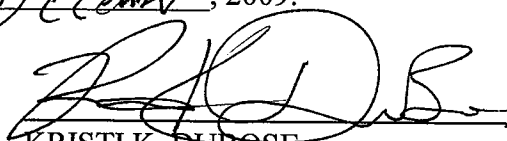
The United States shall have clear title to the property following the Court's disposition of all third-party interest, or, if none, following the expiration of the period provided in Title 21, United States Code, Section 853(n)(2), as incorporated by Title 21, United States Code, Section 2461(c), for the filing of third-party petitions.

If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

The Clerk of the Court shall forward three (3) certified copies of this Order to Assistant U.S. Attorney Gloria A. Bedwell, U.S. Attorney's Office, Southern District of Alabama.

DATED this 1 day of December, 2009.


KRISTI K. DUBOSE
UNITED STATES DISTRICT JUDGE